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RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE

UNCLAS SECTION 01 OF 06 DHAKA 000950

C O R R E C T E D C O P Y (PARA 1 & 19)

SIPDIS

DEPT FOR CA/FPP  
DEPT PASS TO KCC WILLIAMSBURG KY  
POSTS FOR FRAUD PREVENTION MANAGERS

E.O. 12958: N/A  
TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [BG](#)  
SUBJECT: FRAUD SUMMARY - DHAKA

REF: (A) 08 STATE 74840 (B) DHAKA 765 (C) DHAKA 799

DHAKA 00000950 001.3 OF 006

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A. COUNTRY CONDITIONS:  
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1. Dhaka is a high fraud post. In FY 2009, Dhaka's FPU conducted FPU verifications (mostly site visits) for 488 cases, not/not counting cases referred for DNA analysis. Many of these cases required several site visits to complete. Infrastructure, especially road infrastructure, is poor outside of main cities and towns. This circumstance, combined with wide-spread seasonal flooding and frequent natural disasters, makes scheduling and execution of fraud field verifications and site visits challenging.

2. Bangladesh is a developing country of more than 150 million people living in an area roughly the size of Wisconsin. The areas around the capital city, Dhaka, and around Comilla are the most densely populated. More than a third of the population lives below the poverty line, and the current per capita income is about \$621 per year. More than 50% of the population is involved in agriculture which accounts for about 22% of GDP. The annual GDP growth rate of about five percent for the past decade has not been sufficient to reduce the level of poverty for the majority of Bangladeshis.

3. The vast majority of Bangladeshis are culturally Bengali, although there are also non-Bengali ethnic groups among the tribal groups. 88.3 percent of the population is Muslim, 10.5 percent are Hindu, and the remaining 1.2 percent include Christians, Buddhists, and other religions.

4. Bangladesh is a parliamentary democracy. On December 29, 2008, the Awami league (AL), led by Sheikh Hasina Wazed, won 230 of 299 parliamentary seats in elections considered by international and domestic observers to be both free, fair, and credible. The elections and the peaceful transfer of power that followed ended two years of rule by a caretaker government under a state of emergency.

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B. NIV FRAUD:  
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5. Although Dhaka is a high-fraud Post, window fraud on the NIV line is generally unsophisticated, obvious, and properly frustrated with a 214(b) refusal. Given that almost all documents are considered unreliable, officers rely on effective lines of questioning during interviews rather than on documentation. In order to cut down on cases referred to the Fraud Prevention Unit (FPU), line officers generally refer a case only when it contains traits of a possible new fraud trend or indication of visa fraud

ring involvement.

¶6. We occasionally see walk-in individuals who want to verify that their visas are genuine. These applicants have similar stories of being contacted by visa agents with stories of visas available for a steep price to travel to the U.S. for employment as "fisherman" or something similar. Most of the walk-ins have produced what appears to be a computer manipulated color printout of a visa foil with mismatched data from a number of posts (i.e., foil number from Cairo/issuing post on foil is Cotonou). The visa classification is either B1/2 or H1B. Section L of this cable contains additional information regarding our coordination of efforts with local authorities on these cases. One notable exception to this pattern was detected by Singapore Airlines. A Bangladeshi passenger was offloaded in Singapore when airline authorities noticed irregularities with his visa. This is the first known successful usage of one of these fake visas for travel. The scam originated in Nigeria utilizing a Bangladeshi travel agency as the middle man. The passport was seized and local authorities interviewed the passenger. Dhaka's ARSO-I has opened a DS investigation targeted against the alleged conspirators for producing a counterfeit visa.

¶7. Though Dhaka is a low-volume H1-B post, most of our serious NIV fraud is found in the H1-B category. Frequently we find our applicants are qualified but the petitioning company is "benching" applicants. However, we are seeing an increase in applicants who are not qualified. The most sophisticated cases involve IT companies petitioning for Bangladeshi workers who are server administrators or database administrators but the position descriptions are for application developers. Usually these positions require extensive code development knowledge, working with customers to identify application requirements, and defect tracking - skills which the applicants do not have. We suspect the offending companies are attempting to bench lower level IT workers.

¶8. In the past, applicants in the R-1 category were chronically problematic due to nebulous qualifications and employment histories.

DHAKA 00000950 002.3 OF 006

The implementation of the petition requirement for R-1 applications has drastically reduced the total number of applicants under this category with no new cases referred to FPU for the second straight fraud summary reporting period.

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¶C. IV FRAUD:  
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¶9. IV fraud consumes the majority of available FPU resources. Petitioners and applicants are well aware of our efforts to combat fraud, including our methods and limitations. Consequently, we see many instances where a petitioner petitions for multiple family preference applicants but holds one or more of these cases at NVC by not paying fees. This is done in order to enable fraudulent cases involving fake spouses or over-aged children to clear post first before legitimate cases are processed. Our aggressive investigation policy involving all cross-reference cases usually pays dividends. We continue to uncover marital status fraud on current cases and those still pending at NVC (being held through non-payment of fees).

¶10. We see a significant amount of age fraud among applicants in age dependent visa categories (especially F2A applicants and F4 derivatives). With the almost complete lack of security of most Bangladeshi civil documents, it is very easy for applicants to obtain legitimate documents with false information to support their relationship claims. FPU field verifications have uncovered many instances where responsible officials were aware that the documents they were issuing contained fraudulent information. Since birth certificates are generally not reliable and most birth registrations occur only a few months before a petition is filed, we generally rely on secondary documents, such as school certificates, to corroborate the applicant's claimed date of birth. The local school system is the most accurate record keeping entity in Bangladesh with respect to dates of birth. The FPU is very successful on site visits initiated to uncover age fraud, either in the form of forged

certificates or certificates with fraudulent information not supported by the school's records. Often, a school administrator issues an official document with falsified data, either as a favor to the applicant, or as a result of heavy pressure from an outside entity, e.g. family in the U.S.

¶11. In IV cases, marital status fraud is common in F2A and F2B cases. Recent numbers indicate a fifty percent fraud rate where an applicant hid an existing spouse in order to remain eligible as the son/daughter of an LPR. FPU makes neighborhood site visits to verify marital status. Although both time and labor intensive, they are almost the only way to uncover or confirm fraud.

¶12. The tradition of arranged marriages also poses difficulties for adjudicators in CR1 and K visa cases. Since it is not unusual for a new spouse to know almost nothing about their partner, we rely heavily on secondary evidence to establish the bona fides of the marriage. We ask for photos, videos, invitations, cards, etc., to prove the relationship is valid. The lack of secondary evidence can be a strong indicator that the applicants are perpetrating marriage fraud.

¶13. During this summary period, the Fraud Prevention Manager (FPM) and adjudicating officers jointly developed standardized criteria for referring CR1 and K visa cases to the FPU. This was a difficult task as the case facts and documentation of a marriage for immigration purposes and a legitimately arranged marriage are sometimes very similar. The new criteria are based on supporting statistics from FPU verifications which showed a low fraud confirmed rate in such cases. Highlights of our standardized criteria for referring CR1 and K visa cases include more targeted questioning and identifying a clear aspect of the case to investigate rather than a generically worded reason for referral.

¶14. Post receives a number of requests each year from the Department of Homeland Security (DHS) for document and field verifications, either from United States Citizenship and Immigration Services (USCIS) adjudicators or Fraud Detection and National Security (FDNS) investigators. In 2009, we completed 13 investigations for DHS. 24 DHS cases are still pending.

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¶D. DV FRAUD:  
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¶15. Bangladeshis are enthusiastic participants in the Diversity Visa (DV) program. For DV 2009, 4.3 million Bangladeshis submitted entries out of a worldwide total of 13.6 million, and Bangladesh perennially ranks in the top five for DV winners. Corrupt agents and cyber cafe operators (hereafter referred to as DV agents) are equally enthusiastic about the DV program. Many Bangladeshis do not

DHAKA 00000950 003.3 OF 006

have access to the Internet or have limited English language skills, necessitating the use of cyber cafes and agents for online data entry. DV agents manipulate the entries by substituting an address under their control and frequently change the applicant's marital status to single instead of married. Once the address is changed, the applicant is effectively under the control of the DV agent. Once received, winning letters are held for ransom by the agent. The applicant is informed that he/she may receive the letter for a very large cash payment or, in lieu of payment, by adding a fake spouse to the application. Every year, post conducts outreach to educate potential applicants of the pitfalls of DV agents and encourages the applicants to take control of their application process as much as possible. DV 2009 experienced an increase in the number of applicants who were married but submitted an online application indicating they were unmarried. Based on applicant interviews we know this is usually attributed to poor preparation on the part of the applicant at the time of data entry (usually at a cyber cafe) or DV agent involvement.

¶16. As previously discussed, the tradition of arranged marriages makes it extremely difficult to distinguish between legitimate arranged marriages and marriages solely for immigration purposes. Again, we rely on the usual array of secondary evidence. If the

submitted evidence fails to establish that a genuine marriage exists, we conduct resource intensive field verifications. DV 2009 saw an unprecedented number of false addresses given by applicants in order to hide both sham marriages and their true marital status.

¶17. Occupational qualification fraud is the easiest DV fraud to detect. Using the O-Net standards, adjudicators ask detailed questions about the applicant's usual work and can usually quickly separate those who qualify from those with inflated their qualifications.

¶18. Counterfeit, improvidently issued, and/or altered school certificates are also commonplace. Post has extensive exemplar files of genuine and fake Secondary School Certificates (SSC) and Higher Secondary Certificates (HSC) from all the regional Boards of Education. These are available in both hard copy and electronic soft copy to all members of the Consular staff.

¶19. In October 2005, the Ministry of Education established a website for on-line verification of educational certificates. This website allows nationwide verification of certificates issued after the computerization of Board records, generally from the mid-1990s. This has proved to be an important anti-fraud resource for DV adjudicators. During DV 2009, Dhaka saw a dramatic increase in the number of fraudulent Technical Board certificates. Unlike HSC certificates, Technical Board certificates cannot be validated online. Unqualified applicants and/or their corrupt agents sought to exploit this as a weak point in our ability to verify information. Fortunately, Dhaka's FPU has an excellent relationship with the Technical Board Controller and we are able to hand deliver and verify on-site all questionable Technical Board documents.

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¶E. ACS and PASSPORT FRAUD:  
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¶20. We have extremely low incidence of fraud in these areas. Most suspect cases involve Consular Reports of Birth Abroad and are investigated through the use of DNA.

¶21. During a recent routine review of an A1 visa application for the spouse of a Bangladeshi diplomat in Washington, reported in reftel C, the interviewing officer noticed that she listed her son on her application but did not submit a visa application for him. Further questioning revealed that he had been born in the United-States in 2008 and had been issued a U.S. passport.

The applicant was asked about the circumstances surrounding the issuance of her son's passport and she confirmed her signature on the Application for U.S. Passport. According to passport records, the applicant presented a Maryland state identification card instead of her Bangladesh passport or diplomatic carnet, concealing her diplomatic status in the United States. With Department concurrence, we revoked the passport. The Chief of Mission has recommended the withdrawal of the Bangladeshi diplomat from the United States.

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¶F. ADOPTION FRAUD:  
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¶22. Bangladesh civil law makes no provision for adoption. Islamic and Hindu practices either forbid or strictly limit almost all adoptions. The only legal adoption recourse is for Bangladeshi adults to apply for an order of guardianship under the 1890 Guardians

DHAKA 00000950 004.3 OF 006

and Wards Act. Only Bangladeshi natives and citizens may become guardians in this manner. In some cases, the guardianship can form the basis of an IR-4 petition. Most of our fraud involves direct transfers between family members where a relative in the U.S. seeks to adopt a cousin or nephew/niece in order to give the child a better life in the US. The family in Bangladesh generally tries to fraudulently conceal their standard of living in order to qualify the child as an eligible orphan. Because of the prohibition of adoptions and lack of reputable orphanages, it is also common for

prospective adoptive parents to rely on family and friends in Bangladesh to informally arrange adoptions directly with the biological parents. These families also try to conceal the direct transfer in order to fraudulently qualify the child as an orphan.

¶23. There is also a tradition of "social adoptions" in Bangladesh, in which families take in orphans of relatives or foundlings and raise them as their own. Social adoptions also include parents who have many children giving one of their children to a sibling who is childless and not able to conceive. In both of these cases, the parents rarely regularize the child's status and the child may not be aware of his or her actual parentage. This often comes to light when DNA testing reveals that one or another child may not be eligible to receive a visa in family preference cases.

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¶G. Use of DNA Testing:  
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¶24. Post's adjudicating officers allow applicants ample opportunity to provide sufficient evidence of relationship (EOR) during an initial interview and subsequent return interviews. However, many applicants are unable to provide adequate EOR required to establish a petitionable relationship and are requested to complete DNA testing. Post provides a letter that explicitly states any AABB certified lab that the petitioner or applicants choose can conduct the testing. The vast majority of genetic relationships are affirmed for those applicants that show up for testing. Not infrequently, a principal applicant advises us that one of the derivatives in the case has recently "died" - an indication that the derivative was most likely not an immediate family member. Post views DNA testing as a valuable fraud deterrent.

¶25. Recent 9 FAM changes regarding DNA collection are being implemented in Dhaka. Post procedures already incorporated many of the new procedures.

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¶H. ASYLUM and other DHS BENEFIT FRAUD:  
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¶26. Dhaka handles both VISAS 92 follow-To-Join (FTJ) cases and requests for investigation in ongoing political asylum cases. Since the arrival of the current FPM in August of 2008, there have been no VISAS 92 cases referred to FPU and only two requests from DRL for follow-up investigations of asylum cases. Historically, post has had several file drawers dedicated to pending asylum and follow-to-join case investigations; however, this workload has recently abated. Most likely this reduction is a direct result of FPU investigations proving a great number of these claims were bogus. We are concerned about our ability to manage an investigation backlog if asylum cases reach prior year volumes.

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¶I. Alien Smuggling, Trafficking,  
Organized Crime, Terrorist Level:  
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¶27. Reports from various sources in 2008 indicating Bangladeshi nationals may be probing for paths of lesser resistance into the U.S. via South America. Sources include the Human Smuggling and Trafficking Center (HSTC) and our British counterparts. It appears Bangladeshis are exploiting lax visa issuances and, in some cases, the lack of a visa requirement, to facilitate travel to South American countries with a probable final destination of the U.S. or Canada.

¶28. South American travel by our applicants is almost non-existent, but adjudicating officers are aware of the reports. Any such travel could be an indication of a facilitator and our officers are instructed to alert the FPM or ARSO-I if an applicant's passport indicates travel in that region.

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¶J. DS Criminal Fraud Investigations:  
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¶29. Dhaka's ARSO-I and FPM have a strong working relationship and



are jointly defining strategies and areas of focus for combating

DHAKA 00000950 005.3 OF 006

visa fraud. As reported in reftel B, the A/RSO-I function is an element of Mission Dhaka's effort to combat pervasive high fraud. Lagging GOB law enforcement, slow judicial follow through and exigent post security requirements will continue to challenge A/RSO-I operations.

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K. Host Country Passport, Identity Documents, and Civil Registry:  
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¶30. The lack of secure identity and relationship documentation in Bangladesh is one of the biggest contributors to the number of cases referred to FPU for investigation. Neighborhood checks are usually the only way for FPU to establish whether or not information presented at the window is legitimate. Non-qualified individuals can obtain authentic (albeit improvidently issued) passports, birth certificates, driver's licenses, national IDs, marriage and divorce certificates, and any other issuable document from legitimate sources in Bangladesh. The current national passport is poorly made and easily manipulated. There is very little control over biographic information contained in issued passports. Genuine passports containing totally false identity data are easily obtained. Bangladesh hopes to start producing machine readable passports in 2010.

¶31. Due to the inherent poor control of civil documentation, many applicants have difficulty providing credible ID. Many applicants provide nothing more than a passport and an old school ID that consists of a piece of paper with a stapled photograph. Many documents show signs of mold and severe weathering.

¶32. Muslim marriage and divorces are required by law to be registered at the local "Kazi" office. The registration books are simple, ordinary registry books with hand-written pages. The registry books are usually housed in locked wall lockers with no additional physical security. Civil Government control over the Kazis is negligible. It is not uncommon for FPU investigators to find books out of sequence, pages glued in, and marriages added to the end of the registration books for any given year. These manipulations are reliable indicators of fraud.

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L. COOPERATION WITH HOST GOVERNMENT AUTHORITIES:  
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¶33. We receive cooperation from most local government offices regarding verification of school certificates, marriage and divorce certificates, and passports. However, the court system and local police are usually uninterested in aggressively pursuing legal action against visa fraud perpetrators and corrupt visa agents. Witnesses generally fear extortion by local police and quickly lose interest in pursuing a complaint, especially when a case stagnates due to lack of police action. In one case where the ARSO-I was successful in having witnesses make a formal complaint against visa brokers, police inaction led to the perpetrators going unpunished.

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M. AREAS OF CONCERN:  
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¶34. Due to the steady increase in numbers of IV cases processed at post and the continued participation of Bangladesh in the DV program, we expect that the number of cases referred to FPU will continue at the same increasing rate. In order to maintain the integrity of FPU operations and to protect our LES investigators from accusations of malfeasance, Dhaka sends an American FSO or EFM on all field investigations. The FPM or the EFM Consular Assistant conduct most of the investigations with occasional assistance from other FSOs from the IV or NIV units. Staffing levels are becoming a major area of concern. We have requested additional positions, one officer, and one Locally Engaged Staff (LES), to bolster consular and FPU resources. The current FPM has overhauled FPU operations to

make them more efficient and to optimize use of available resources, but the number of cases pending investigation continues to outpace the number of cases completed despite the fact that our Consular Assistant or FPM are away from the office over 50 percent of the time completing field verifications and site visits.

¶35. The Dhaka Anti Fraud Group (AFG), a collection of mostly English-speaking foreign mission anti-fraud counterparts who met regularly to share and disseminate anti-fraud information, is in the early stages of being reconstituted. For the previous year it had been defunct. Recently, Dhaka's FPM and British High Commission counterparts have reignited interest in this information sharing group and have scheduled its first meeting in over a year. At least five diplomatic missions will be represented and we hope to grow the number during the next year.

DHAKA 00000950 006.3 OF 006

¶36. Due to the high incidence of fraud in past year DV visa issuances; post is seeing a number of cases involving petitioners who may have received their immigration status through fraudulent circumstances. The FPM will continue to aggressively research and return these cases to NVC and CA/VO/L/A for referral to DHS. Dhaka firmly believes that the number of fraudulent IV cases will diminish if the Department and DHS pursue these types of cases. Loss of LPR or Citizenship status for past immigration fraud would go a long way to deter petitioner fraud as word will spread quickly that we mean business.

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¶N. STAFFING AND TRAINING:  
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¶37. Miller, Glenn - FPM  
Fraud Prevention for Managers - FSI

Vaagan, Nate - Consular Assistant

Azahar, Mohammad - Senior FPU LES  
PC-542 FSN Fraud Prevention Workshop FSI  
PC-544 Detecting Fraudulent Documents Online  
PC-128 Detecting Imposters Online

Khan, Jahan - FSN Investigator  
PC-542 FSN Fraud Prevention Workshop FSI  
PC-544 Detecting Fraudulent Documents Online  
PC-128 Detecting Imposters Online  
PC-545 Examining US Passports Online

D' Costa, John - FSN Investigator  
PC-542 FSN Fraud Prevention Workshop FSI  
PC-544 Detecting Fraudulent Documents Online

Akter, Sheuly - FSN Investigator  
PC-544 Detecting Fraudulent Documents Online  
PC-128 Detecting Imposters Online

Huda, Nazmul - FSN Investigator  
PC-544 Detecting Fraudulent Documents Online  
PC-128 Detecting Imposters Online  
PC-545 Examining US Passports Online

DEAN